

FILED
CHARLOTTE, N. C.

SEP 18 2006

U. S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

Report on Offender Under Supervision

Name of Offender: Rodney Markeise Funderburk

Case Number: 3:04CR121-01

Name of Sentencing Judicial Officer:

The Honorable Richard L. Voorhees
U.S. District Court Judge

Date of Original Sentence: 8-16-05

Original Offense: 18:922 (g)(1) - Possession of Firearm by Felon

Original Sentence: 21 months imprisonment; 3 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 4-13-06

NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

Violation
Number

Nature of Noncompliance

1

NEW LAW VIOLATION (Date violation concluded: 7-19-06).

The defendant has violated the condition of supervision that states, "The defendant shall not commit another federal, state, or local crime," in that, on 7-19-06, the defendant was charged by Mecklenburg County Police with Possession With Intent to Sell and Deliver Cocaine. I spoke with the Officer who arrested him and he feels that, based on a lack of evidence, the State of NC will dismiss the charges. Two people were in the residence and the cocaine was found outside a bedroom window. Both people are denying the drugs were theirs. A female was there who had no prior arrest history and was not charged. The defendant has a lengthy criminal history and because of that was charged. I also spoke with AUSA Keith Cave about the evidence and he advised that I wait on state disposition before proceeding with a request for a warrant for violation of supervised release.

U.S. Probation Officer Action: Awaiting disposition on state charges. Offender is on random drug testing and all tests have been negative.

U.S. Probation Officer Recommendation: I recommend that no violation report be filed at this time and that no violation report be filed should the State of NC dismiss the charges.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

by Terri B. Hedrick
Terri B. Hedrick
U.S. Probation Officer
704-350-7644

Date: 8-31-06

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- ☒ Concur with Recommendation
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons
☐ Other

9-10-06
Date

Richard L. Woodard
Signature of Judicial Officer